

A

# REVIEW OF THE STATE OF THE ENGLISH NATION.

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Saturday, August 31. 1706.

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I must rectifie a small Mistake in a late Paper with Relation to the Affair at Coventry, which happen'd from my mis-understanding the Account given me, viz. That the Review which I had wrote on that Head was read in the Court, which it was not, but read by the Council in debating the Points, and esteem'd G O O D L A W.

I am very sorry, Mr. *Observator* thinks the modest Repetition of this Affair, an Attack upon him; I neither intended it as such, nor shall pursue it as such; resolving, if possible, not to differ with him, at least not so as to contend; and therefore he will not find any occasion to defend himself against me.

What I formerly wrote, and far from any Delign to encourage Military Force to

concern it self in Elections, I now repeated, and I think I need ask no Man to prove it Good Law; I am sure 'tis good Reason, and all our Laws correspond with Reason, viz. That if any Town, County, Party or People take up Arms against the Civil Authority, oppress Magistracy with Tumult and Riot, and the Civil Power is not able to suppress them, defend themselves, or keep the Peace; Military Power, Troops of Horse, &c. may lawfully be call'd to their Assistance.

If any Man can confute this, I will submit; This I perswade my self, Mr. *Observator* will grant me to be GOOD LAW; and in lieu of this most just Concession, I as readily grant him, That no Military, or indeed any kind of Force, Power, or other extick Influence whatsoever, can legally concern

cern it self in the Elections of Representatives ; That whatever Power attempts to guide, by ass, draw or drive the Votes of the Freeholders or Electors, in choosing Members of Parliament in *England*, is destructive of the *English Liberties* and Constitution, which I hope, I shall be zealously tender of in all I shall say or do—And this I hope will satisfe him in the Case, and prevent farther Debate in a matter, in which I still hope and believe, we both mean the same thing.

To bring this to the Affair of *Coventry*, I think the Particulars illustrate my General. The Mayor arming Men with Halberts to keep the Peace, had no manner of Concern in the Matter of the Election ; nay, if any thing, its Tendency was to preserve the Freedom of that Election, and the Liberty of the Subject in that Affair— And this was his Duty as a Magistrate, and Mr. *Baron Price*, who heard the Cause, and with extraordinary Judgment as well as Impartiality, stated the Matter of Law to the Jury, told them, *in toto de Verbis*, “ Suppose some Hurt, as Bloodshed or the like, had happen'd in the Heat ; these were Magistrates and their Assitants which came to keep the Peace, which the Law had entrusted them with, and therefore it could not be in them a Riot or a Crime ; and concluded, as I noted before, That if they found them guilty of a Riot, they overthrew the Magistracy and Government of that City. Now had a Troop of Horse, or a Company of the Militia been call'd by the Magistrates to their Assistance—So far and no farther, as the Mayor acted with them to keep the Peace, not meddling with the Election. I appeal to Mr. *Observator*, himself— It could not be a Crime, much less invading the *English Liberty* ; and of this I earnestly desire we may have no more Dispute, &c.

the Hindrance of more effectual and more useful Debates, which I hope are the Designs of both ; if he pleases, it shall be otherwise, it must be his own doing, not mine.

The Capacity of Mr. *Baron Price* in matters of Law, I hope, no Man will contend about ; 'tis plain, the Magistrates of *Coventry* made no Attempt to concern themselves with the Election.— Nothing but keeping the Peace was in their Desire, nor had the Candidates any thing to ask but a peaceable Election ; which if they could have obtain'd, they had no reason to doubt their Interest.

This is farther confirm'd in that Her Majesty's Order signified by the Secretary of States Letter, has this Expression—

“ That the Mayor is answerable to Her Majesty for the Peace of that City, and that he should be sure of Her Majesty's Protection in his due Discharge of his Duty, and preserving the Peace according to Law — I instance thus not to prove what I say of the Military and Civil Power joining in Case of Necessity, but to clear up the Case against the most malicious Suggestions of a Party, who attempt to charge the Magistrates of *Coventry* with Assaults upon the Assembly, and interfering with their Election ; than which, nothing is more false and absurd.

The Keeping the Peace was their whole Business, their whole Design, and this was their Duty, the Law had entrusted them with it ; the QUEEN had given Her Royal and Special Command to them to discharge that Duty, and nothing could be more contrary to Law, Reason, and the Nature of the *English Constitution*, than to contradict it ; of which I presume, the Gentlemen of the other side in *Coventry* are now convinc'd.

## MISCELLANEA.

SIR,  
THE Subscribers to the following Aſſeſſments w<sup>r</sup>y, that you will please to ſgi. iſſe your Opinion, which of them is moſt reaſonable, and to be adhered to ; which will very much oblige,

Your humble Servants.

Aug. 20th. 1706.

B. J. F.

Francisco lay 6 Bottles of Wine against Mr. Jackson upon Argument, Viz.  
That the Word, *Harmony* derives from Musick, and that the said Word, *Harmony*, is really a Musical Word, and that all other Appliments of the said Word, *Harmony*, ( in whatsoever Discourses or Art of speaking eloquently ) are borrowed from the said Musical Word, and prove that it is an original Musical Word. P. S. I say, *Harmony* is a thing which cannot be perceiv'd but by the Ear, Ergo, 'tis vocal or instrumental, consequently Musick.

Francisco.

I Affirm, that the English Word, *Harmony*, is properly apply'd to many other things besides Musick, and that it is not deriv'd from Musick. But the Agreement of Sounds in Musick is express'd by the Word *Harmony*; and that it is us'd as well in Anatomy as Musick, and I believe in that, before Musick us'd it; and that *Harmony* is to be perceiv'd in many things without the Ear.

Benj. Jackson.

The Nicety of this Question, *Pardon me, Gentlemen*, seems to lie in a part, that by your stating it, neither of you did foresee.

I agree, that *Harmony* is generally understood to signify a Consort of Sounds, and is perceptible by the Ear, and so relates wholly to what is Musical; and thus far, Mr. Francisco, you are in the right.

I agree, that 'tis us'd in other Sciences, and very properly too; and so far the Opinion of the other Gentleman to me appears very just too, and more expressive of the thing it self, than the other.

But If you will give me leave to give my Opiniou here, I think the Case goes farther; and *Harmony* is the superior Term to all these: The general containing all these particulars, that it comprehends every thing material respecting the Ear, every thing beautiful respecting the Eye, all Proportions, all Symmetry of Parts and Connection of Circumstances, the original Beauty of Nature, the concurring Order of the Creation, the Obedience of

Consequencies to their Causes, the Circumstances of Seasons, Times, Heavenly and Earthly Bodies, the Subordination of Parts, Degrees and Things, and the secret Influences of Sovereign Power in the Determinations of all Human Affairs. This is all *Harmony*. It might be run higher, even to Providence and the Divine Operations; and therefore the late Reverend Dr. Bates gave that excellent Treatise of his, the Title of, *The Harmony of the Divine Attributes*.

*Harmony* therefore is the Glory of Earth, the Beauty of Heaven, and the Emblem of the Sovereign Being, and not at all prescrib'd to Musick, as vocally or instrumentally consider'd.

I care not to enter here into the Etymology of the Word, or trouble my self to search its Derivation, neither do I think it much to the purpose; Musick is but a little part of this comprehensive Quality.

And yet to come a little over to Mr. Francisco, give me leave again to say, that all *Harmony* is Musick too; but then we must let Musick be taken allegorically; and then 'twill affect the Eye, and the contemplative part of the Soul, as well as the Ear; and thus there is Musick in every beautiful Building, every delicious Prospect, every fair Object; All the regulated Life of a just and pious Man is Musick in the Eye of the Observer; the Eloquence of the Orator, the Lines of the Poet make Musick in the Soul; who can read *Virgil*, *Horace*, *Ovid*, *Milton*, *Waller*, or *Rochester*, without touching the Strings of his Soul, and finding a Unison of the most charming Influence there? The beauteous Works of Providence are all Musick to the observing Mind; when we view the Heaven, the Work of his Hands, the Mountains and the Stars which he has made, what Musick is there, is the Contemplation—— I might go on to a vast Variety of Illustrations in Art, Science, Conversation, and Behaviour; in Families, Societies and Persons; in things sacred and things civil; in Nations, in Assemblies and in Governments; but to bring it home, let us but take a Specimen here of our own, for I have not room here to enlarge. The Beauty, the Proportion of Parts, the agreeable Connection of Principles, and Con-

Concurrence of Circumstances in the English Constitution, is a familiar Instance of this very thing; the Magnificence of the Sovereign mix'd with the Liberty of the People, the un-interrupted Currency of Justice, the acknowledg'd Superiority of Law, the Union and Connection of every Branch of the Constitution one with another; what Musick is this to the English Subject, who, by the Influence of their just Proportions, has his Liberty preserv'd, his Property secur'd, and his Felicity form'd— How are jarring Parties, clashing Interests, tumultuous Crowds, and the unbounded Ambition of Men charm'd by this Musick, as *Orpheus* once the less wild Inhabitants of the Wood, and reduc'd to Calm, Peace, Content, and Conjunction of Governments and Nations, and to all the blessed Consequences of Peace and Union.

I know not therefore, which of these two Gentlemen to gratifie in their Enquiry, since both are in one Sense in the right; if they please to agree in the Debate, they will find the Terms so synonymous, that either may be extended equally with one another— But if they will be understood literally, Mr. Jackson is certainly on the best Foot; Musick is express'd by *Harmony*, and is indeed but a part of it, *Harmony* is perceptible without the Help of Sound, without the Agency of the Ear, and the Word is properly us'd in other Sciences.

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